

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CRIMINAL NO. 10-30081-DRH

JIMMY N. BURRAGE,

Defendant.

ORDER OF FINDING OF NO THIRD-PARTY INTERESTS

On December 3, 2010, this Court entered an Order for forfeiture against defendant Jimmy N. Burrage, for the following property which had been seized from said defendant:

One Century International Arms, Model M70AB2, 7.62 x 39mm semiautomatic rifle bearing serial number M70AB00068, and any and all ammunition contained therein.

Said Order further provided that the government would provide an opportunity for persons to claim a legal interest in the property pursuant to 21 U.S.C. § 853(n)(1).

The Court notes that notice was published by the government on an official government website, www.forfeiture.gov, for 30 consecutive days beginning January 23, 2011, and ending February 21, 2011, and that no third party filed a petition within 30 days after the last date of said publication to allege an interest in the property.

The Court further notes that Notice of Forfeiture was also mailed to Benjamin

Weary, who had purchased the firearm on January 10, 2007 according to records of the Bureau of Alcohol, Tobacco, Firearms and Explosives; however, the Notice was returned marked "Return to Sender, Not Deliverable as Addressed, Unable to Forward."

Consequently, the Court hereby finds, pursuant to 21 U.S.C. § 853(n)(7) that no third-party petitions were filed and that the United States of America has clear title to the above-described property that is the subject of the Order of Forfeiture filed on December 3, 2010, namely:

One Century International Arms, Model M70AB2, 7.62 x 39mm semiautomatic rifle, bearing serial number M70AB00068, and any and all ammunition contained therein.

The Bureau of Alcohol, Tobacco, Firearms and Explosives or the United States Marshal shall dispose of the property according to law. Said disposal may, at the discretion of the United States, include the destruction of the property. Said destruction may be done at such time and location and by such persons as designated by the United States Marshal or the Bureau of Alcohol, Tobacco, Firearms and Explosives.

DATE: July 13, 2011

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David R. Herndon
Date: 2011.07.13
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**Chief Judge
United States District Court**